



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
January 27, 2020

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Attorney for Secured Creditor
U.S. BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE
OF THE CABANA SERIES III TRUST, its successors and assigns

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA
LAS VEGAS DIVISION

In re:

MAXINE BOONE,

Debtor.

CASE NO.: 17-14408-mkn

Chapter 13

**ORDER GRANTING MOTION FOR
RELIEF FROM THE AUTOMATIC STAY**

**("3890 PLACITA DEL RICO, LAS VEGAS,
NV 89120")**

Date: 12/23/2019

Time: 1:30 PM

U.S. BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE OF THE CABANA SERIES III TRUST (“**Movant**” or “**Creditor**”), through undersigned counsel, applied for an order vacating the stay to allow Movant to proceed with and complete any and all contractual and statutory remedies incident to its security interest held in real property commonly described as 3890 PLACITA DEL RICO, LAS VEGAS, NV 89120 (the “Property”). A continued hearing came before the Honorable MIKE K. NAKAGAWA on December 23, 2019:

IT IS THEREFORE ORDERED that:

1. Creditor is granted relief from the automatic stay provisions of 11 U.S.C. 362 to permit Creditor, and Creditor’s successors and assigns to immediately proceed with and complete any and all contractual and statutory remedies incident to the security interest held under its Note and Deed of Trust in the real property commonly described as 3890 PLACITA DEL RICO, LAS VEGAS, NV 89120 (the “Property”), and legally described as indicated in the Exhibit A attached hereto and incorporated herein, pursuant to applicable state law, and commence any action necessary to obtain complete possession of the subject Property.
2. Fed.R.Bankr.P., Rule 4001(a)(3) be waived and the stay terminate upon entry of the order;
3. This Order is binding and effective despite any conversion of this case.
4. The Movant is required to record a new notice of default in accordance with state law.

Respectfully submitted this 27th day of January 2020.

SUBMITTED BY:

By: /s/ Allison Schmidt
Allison Schmidt, Esq., Nevada State Bar # 10743
Attorney for Movant

In accordance with LR 9021, counsel for Movant hereby certifies as follows (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

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____ I certify that this is a case under chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

Exhibit “A”

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EXHIBIT A

PARCEL I:

Lot Thirty-Three (33) of Las Quintas Unit 1, as shown by map thereof on file in Book 32 of Plats, Page 70, in the Office of the County Recorder of Clark County, Nevada.

Excepting Therefrom an easement for ingress and egress and incidental purposes over that portion of said Lot Thirty-Three (33), shown and delineated on said subdivision plat as "Private Street".

PARCEL II:

An easement for ingress and egress and incidental purposes over those portions of Las Quintas Unit 1, as shown by map thereof on file in Book 32 of Plats, Page 70, in the office of the County Recorder, Clark County, Nevada, being shown and delineated as Private Streets".